

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RANDY GILL,

Plaintiff,

v.

Civil Action No. 20-13195

Honorable Denise Page Hood

ADVANCED CORRECTIONAL
HEALTHCARE INC., MIDLAND
COUNTY, and DR. CHELLAM,

Defendants.

_____ /

**ORDER ADOPTING REPORT AND RECOMMENDATION [#23]
TO DISMISS PLAINTIFF’S CAUSE OF ACTION**

Pro se Plaintiff filed this 42 U.S.C. § 1983 lawsuit against multiple defendants.

This matter comes before the Court on Magistrate Judge Curtis Ivy, Jr.’s Report and Recommendation dated July 26, 2021. [ECF No. 23] In the Report and Recommendation, the Magistrate Judge recommends that the Court dismiss Plaintiff’s cause of action with prejudice due to Plaintiff’s failure to respond to: (a) a summary judgment motion filed by Defendants Advanced Correctional Healthcare Inc. and Dr. Chellam; and (b) two orders of the Court. No party has filed an objection to the Report and Recommendation.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons. Finding no

error in the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation in its entirety. Furthermore, as neither party has raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (a party's failure to file any objections waives his or her right to further appeal); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

For the reasons stated above,

IT IS ORDERED that the Report and Recommendation dated July 26, 2021 [ECF No. 23] is **ADOPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff's cause of action is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Defendants Advanced Correctional Healthcare Inc. and Dr. Chellam [ECF No. 16, filed March 2, 2021] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that Defendant Midland County's Motion to Dismiss [ECF No. 24, filed August 18, 2021] is **DENIED AS MOOT**.

IT IS ORDERED.

DATED: September 30, 2021

s/ Denise Page Hood
DENISE PAGE HOOD
United States District Judge